

John Doe
IP Address: 72.224.58.243

Hon. Thomas J. McAvoy, Senior District Judge
Federal Building & U.S. Courthouse
15 Henry Street Binghamton, NY 13901

Civil Action Case No. 1:18-cv-00410-TJM-DEP
ATTN: Hon. Thomas J. McAvoy, Senior District Judge

Strike 3 Holdings (Plaintiff) vs John Doe (Defendant)
Subscriber assigned IP Address: 72.224.58.243
NOTICE OF APPEAL

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
JUL 03 2018
LAWRENCE K. BAERMAN, CLERK
ALBANY

July 2nd, 2018

Dear Hon. Thomas J. McAvoy,

I would like to appeal Judge Peebles decision to deny both of my motions to quash the Plaintiff's subpoena. Judge Peebles denied my more recent motion on the grounds of my failure to point to 1 of the 5 factors cited in *Arista*, 604 F.3d at 119 as relevant to my case. I would like to specifically cite "the defendant's expectation of privacy" as the relevant factor, and appeal Judge Peeble's decision. Per my "expectation of privacy", I do not wish for my personal information to become public record, nor do I wish to be harassed by the Plaintiff's attorney.

While researching the Plaintiff's Attorney Ms. Jacqueline James, I came across the following:

"...she [Jacqueline James] has needed to change how she files her lawsuits and how she interacts with John Doe Defendants and even how she treats other attorneys because she has developed a reputation where the word "harassment" has been thrown around more than a few times."

Due to plaintiff's counsel's reputation of "having acted in a harassing manner in the past once receiving identifying information from the ISP", if my appeal to quash the subpoena is denied, I would like to request a protective order be entered, allowing me to proceed anonymously, and if possible with the help of an attorney of my own.

Thank you for your time and consideration.

- Sincerely, John Doe - IP Address: 72.224.58.243

¹<https://www.torrentlawyer.com/2017/03/13/2017-malibu-media-xart-where-cases-are-filed-who-are-their-attorneys/>